

ORDINANCE NO. 444

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING CHAPTER 15.06 WMC GENERAL PROVISIONS, CHAPTER 15.09 WMC INTERNATIONAL CODES, AND CHAPTER 15.15 WMC FIRE CODE TO INCLUDE UPDATED PROVISIONS AS REQUIRED BY STATE LAW; EFFECTUATING LOCAL REVISIONS TO SAID CODES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State of Washington establishes the State Building Code as set forth in RCW 19.27.031; and

WHEREAS, effective July 1, 2007, the State has adopted various changes in the building, fire, and other codes applicable to Washington municipalities; and

WHEREAS, the City Council of the City of Woodinville has adopted by reference numerous building codes for the health, safety and welfare of the citizens as set forth in Title 15 WMC; and

WHEREAS, the City Council wishes to amend, repeal and/or reenact Chapters 15.06, 15.09 and 15.15 WMC, or selected provisions thereof, as specified herein in order to adopt by reference updated versions of the State Building, Fire and other Codes, including appropriate local revisions thereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Amendment of WMC 15.06.050. Section 15.06.050 of the Woodinville Municipal Code is hereby amended to provide in its entirety as follows:

15.06.050 Building Official designated.

The "Building Official," as defined in Section 15.09.010 of the Woodinville Municipal Code and the "Administrative Authority" as defined by the Plumbing Code, shall be appointed by the City Manager, or his/her designee.

Section 2. Repeal and Reenactment of Chapter 15.09 WMC. Woodinville Municipal Code Chapter 15.09 International Codes is hereby repealed in its entirety and reenacted as provided in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Repeal and Reenactment of Chapter 15.15 WMC. Woodinville Municipal Code Chapter 15.15 Fire Code is hereby repealed in its entirety and

reenacted as provided in Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full.

Section 4. Adopted Copies on File. Pursuant to RCW 35A.13.180 and 35A.12.140, the City shall maintain at least one copy of the codes adopted by reference under this ordinance in the office of the City Clerk, and the same shall be made available for public use and examination upon request.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

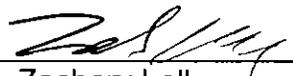
**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS
PASSAGE THIS 18th DAY OF JUNE, 2007.**


Cathy VonWald, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
J. Zachary Lell
City Attorney

PASSED BY THE CITY COUNCIL: 6-18-2007
PUBLISHED: 6-25-2007
EFFECTIVE DATE: 7-02-2007
ORDINANCE NO. 444

EXHIBIT A

Chapter 15.09 **INTERNATIONAL CODES**

Sections:

- 15.09.010 Construction Administrative Code adopted.
- 15.09.015 International Building Code adopted.
- 15.09.020 International Residential code adopted.
- 15.09.025 International Mechanical Code adopted.
- 15.09.030 Liquefied Petroleum Gas Code (NFPA 58) adopted.
- 15.09.035 International Fuel Gas Code (NFPA 54) adopted.
- 15.09.040 Uniform Plumbing Code adopted.
- 15.09.045 Washington State Energy Code adopted.
- 15.09.050 Washington State Ventilation and Indoor Air Quality Code adopted.
- 15.09.055 International Property Maintenance Code adopted.
- 15.09.060 Documents to be filed and available for public inspection.
- 15.09.065 Violation Penalty

15.09.010 Construction Administrative Code adopted

CONSTRUCTION ADMINISTRATIVE CODE

The purpose of this section is to establish a single consistent and uniform set of procedural requirements that will govern all of the codes adopted under Chapter 15.09 WMC. In order to maintain consistency with the format of these adopted uniform codes, the headings and citations set forth in this section follow the uniform code format rather than the WMC format.

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the *Construction Administrative Code* of the City of Woodinville, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and as listed below:

- 2006 International Building Code – WAC 51-50
- 2006 International Existing Building Code – WAC 51-50
- 2006 International Residential Code – WAC 51-51
- 2006 International Mechanical Code – WAC 51-52
- International Fuel Gas Code (NFPA 54) – WAC 51-52
- Liquefied Petroleum Gas Code (NFPA 58) – WAC 51-52
- 2006 International Fuel Gas Code - WAC 51-52
- 2006 Uniform Plumbing Code – WAC 51 –56 and WAC 51-57
- 2006 Washington State Energy Code – WAC 51-51
- 2006 Washington State Ventilation and Indoor Air Quality Code – WAC 51-13

101.2.1 Exceptions. The provisions of this code shall not apply to work located in a public way, public utility towers and poles and public hydraulic flood control structures.

101.2.2 Definitions For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

1. "Action" means a specific response complying fully with a specific request by this jurisdiction.
2. "Addition" means an extension or increase in floor area or height of a building or structure.
3. "Alter" or "alteration" means a change or modification of a building, structure or building service equipment.
4. "Approved" as to materials, types of construction, equipment and systems, means and refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principals or tests by recognized authorities, technical or scientific organizations.
5. "Approved agency" means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building Official.
6. "Building" means a structure used or intended for supporting or sheltering a use or occupancy.
7. "Existing building" means a building erected prior to the adoption of this code, or one for which a legal building permit has been issued and approved.
8. "Building Official" means the officer or other designated authority charged with the administration and enforcement of this code, or regularly authorized deputy thereof.
9. "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.
10. "Complete response" means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed.
11. "Energy code" means the latest edition of the Washington State Energy Code promulgated by the Washington State Building Code Council, as adopted by this jurisdiction.

12. "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this jurisdiction.
13. "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this jurisdiction.
14. "IFGC" means the latest edition of the International Fuel Gas Code promulgated by the International Code Council as adopted by this jurisdiction.
15. "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this jurisdiction.
16. "IPMC" means the latest adopted edition of the International Property Maintenance Code promulgated by the International Code Council as adopted by this jurisdiction
17. "IRC" means the latest edition of the International Residential Code promulgated by the International Code Council as adopted by this jurisdiction.
18. "Jurisdiction" means the City of Woodinville.
19. "Listed" and "listing" are terms referring to equipment or materials included in a list by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current production of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards, or tests and has been tested or evaluated and found suitable for use in a specified manner.
20. "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association.
21. "NFPA" is the National Fire Protection Association.
22. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.
23. "Owner" means any person, agent, firm, or corporation having legal or equitable interest in the property.
24. "Permit" means an official document or certificate issued by the Building Official authorizing performance or specified activity.
25. "Person" means a natural person, heirs, executors, administrators or assigns and includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.
26. "Repair" means the reconstruction or renewal of any part of an existing building, structure, or building service equipment for the purpose of its maintenance.

27. "Shall" as used in this chapter, is mandatory.

28. "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

29. "Structural observation" means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by the building code or residential code or other sections of this code.

30. "Technical codes" are the codes, appendices and referenced code standards adopted by this jurisdiction.

31. "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Conference of Building Officials as adopted by this jurisdiction.

32. "Valuation" or "value" as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs, including the total of complete structure and equipment cost and the contractor's overhead and profit.

33. "VIAQ" means the latest edition of the Washington State Ventilation and Indoor Air Quality Code promulgated by the Washington State Building Code Council, as adopted by this jurisdiction.

34. "WSEC" means the latest edition of the Washington State Energy Code promulgated by the Washington State Building Code Council, as adopted by this jurisdiction.

101.3 Appendices.

Provisions in the appendices of the codes adopted by this Title shall not apply unless specifically adopted.

101.4 Intent.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.5 Referenced codes.

The codes, as adopted in this Title, listed in Sections 101.5.1 through 101.5.10 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.5.1 International Building Code. The provisions of the *International Building Code* shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one and two family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade in height with separate means of egress and their accessory structures shall comply with the International Residential Code.

101.5.1.1 International Existing Building Code. The provisions of the *International Existing Building Code*, as referenced by the State Building Code Council as Appendix M in the International Building Code as published by the International Code Council, shall apply, to the repair, alteration, change of occupancy and relocation of buildings existing on the date of adoption of this code.

101.5.2 International Residential Code. The provisions of the *International Residential Code For One And Two-Family Dwellings* shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and their accessory structures.

101.5.3 Mechanical. These provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy- related systems.

Exceptions:

1. The International Fuel Gas Code shall apply for all installations utilizing natural gas except those regulated by the IRC and those utilizing Liquid Propane Gas (LPG).
2. International Residential Code shall apply for all structures regulated by the IRC except LPG installations
3. NFPA 54 shall apply for all Natural Gas installations
4. NFPA 58 shall apply for all Liquid Propane Gas installations

101.5.4 Natural Gas. The provisions of the *International Fuel Gas Code* (NFPA 54) shall apply to the installation of all materials and equipment utilizing natural gas except those regulated by the International Residential Code.

101.5.5 Liquid Propane Gas. The provisions of the *Liquid Petroleum Gas Code (NFPA 58)* shall apply to the installation of all materials and equipment utilizing liquid propane gas.

101.5.6 Fire Prevention. Unless otherwise provided in this Title, the International Fire Code shall apply. The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.5.7 Plumbing. The provisions of the *2006 Uniform Plumbing Code* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.5.8 Energy. The provisions of the *Washington State Energy Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.5.9 Ventilation and Indoor Air Quality. The provisions of the *Washington State Ventilation and Indoor Air Quality Code* shall apply to all matters governing the design and construction of buildings for ventilation and indoor air quality.

101.5.10 Electrical. The provisions of the *2005 National Electrical Code (NEC)* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Within the City of Woodinville, enforcement of the NEC shall fall under the jurisdiction of the State of Washington

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes enumerated in RCW 19.27.031 shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between

provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in the International Building Code, International Residential Code (existing building chapters), and the *International Fire Code*, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

SECTION 103

RESERVED

SECTION 104

DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The Building Official is hereby authorized and directed to enforce the provisions of this code. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.1.1 Reserved.

104.2 Applications and permits. The Building Official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The Building Official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

104.5 Identification. The Building Official or his/her designee shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is

authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Approved materials and equipment. Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

104.8.1 Used materials and equipment.

The use of used materials and building service equipment is permitted when approved by the Building Official.

104.9 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official, in his or her sole and exclusive discretion, shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. PROVIDED that nothing herein shall be construed to require the Building Official to grant any modification under any circumstances. The details of action granting modifications shall be recorded and entered in the files of the jurisdiction. The Building Official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

104.10 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. The Building Official is authorized to charge an additional fee to evaluate any proposed alternate material, design and or method of construction and equipment under the provisions of this section.

104.10.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources. For purposes of this section "approved" mean a nationally recognized testing agency such as NFPA, U.L., ANSI, IAPMO, or other similar approved agency and approved sources that meet the Building Official's approval.

104.10.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to this jurisdiction. Test methods shall be as specified in this code or by other recognized test standards that are acceptable testing standards to the International Code Council. In the absence of recognized and accepted test methods, the Building Official, in his or her sole discretion, shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

105.2 Work exempt from permit.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

A. Building:

1. One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet (11.15 m²) and the structure is located in accordance with all land use regulations.
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks and driveways associated with buildings constructed under the provisions of the IRC.
7. Decks, associated platforms and steps accessory to residential buildings constructed under the provisions of the IRC which are not more than 30

inches (762 mm) above adjacent grade and not over any basement or story below.

8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

9. Temporary motion picture, television and theater stage sets and scenery.

10. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.

11. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.

12. Swings, slides and other similar playground equipment.

13. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

14. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

15. Satellite earth station antennas 6-1/2 feet (2 m) or less in diameter or diagonal in zones other than residential zones.

16. Satellite earth station antennas 3-1/4 feet (1m) or less in diameter in residential zones; and

17. Video programming service antennas 3-1/4 feet (1 m) or less in diameter or diagonal dimension, regardless of zone.

B. Mechanical:

1. Portable heating, cooking, or clothes drying appliances.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part which does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

C. Plumbing:

1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

2. The clearing of stoppages.

3. Reinstallation or replacement of pre-fabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

105.2.1 Emergency repairs. Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.3 Application for permit. To obtain a permit, the applicant shall first file a complete application therefore in writing on a form furnished by the development services department for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 106.3.

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant's authorized agent.

7. Give such other data and information as required by the Building Official.

8. All applications, or permits required by other City ordinances or governmental jurisdictions.

105.3.1 Action on application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time, consistent with Washington State Law, after filing. If the application is incomplete or the construction documents or other submittal information does not conform to the requirements of pertinent laws, the Building Official may reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

105.3.2 Time limitation of application.

1. Applications for which no permit is issued within one year following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law by the Building Official. The Building Official may extend the time for action by the applicant for one period not exceeding 180 days.

2. Applications may be canceled for inactivity, if an applicant fails to respond to the Building Official's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The Building Official may extend the response period beyond 90 days if within the original 90 day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

3. The Building Official may extend the life of an application if any of the following conditions exist:

a. Compliance with the State Environmental Policy Act is in progress; or

b. Any other city review is in progress; provided the applicant has submitted a complete response to city requests or the Building Official determines that unique or unusual circumstances exist that warrant additional time for such response, and the Building Official determines that the review is proceeding in a timely manner toward final city decision; or

c. Litigation against the city or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

105.4 Validity of Permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of this jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of this jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration and Extension.

(1) Every permit shall expire one year from the date of issuance. Provided, that upon approval of the Building Official, an expired permit may be extended for one year pursuant to this section.

Exception: An application for extending an expired permit must be submitted, together with the applicable extension fee, within 60 days of the permit's expiration date.

(2) Additional information shall be provided by the applicant to the Building Official to justify extension of an expired permit. Such justification must demonstrate satisfaction of at least one of the following criteria:

(a) The project size and/or scope is too large to complete in a one-year period.

(b) Significant financial impacts to the project owner will occur if the permit is not extended.

(c) Other public agencies with jurisdiction over the project have not completed reviews or issued specific permits or have placed required permits on hold.

(d) Active litigation directly concerning the underlying project is occurring which has prevented the permit holder from completing the project.

(3) The Building Official shall have sole discretion in determining whether to grant a request for a permit extension under this section. Nothing herein shall be construed as establishing any right to a permit extension.

(4) A fee shall be established for permit extensions pursuant to this section.

105.6 Suspension or revocation. To the extent applicable under State Law, the Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, statement of special inspection, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

106.1.2 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

106.1.3 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

106.1.4 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code and other state codes. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the Building Official, R-3, One and Two Family Dwellings, and U occupancies may be exempt from the detailing requirements of this section.

Section 106.1.5 Manufacturer's installation instructions.

Manufacturers installation instruction, as required by this code, shall be available on the job site a the time of inspection

106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.3 Examination of documents. The Building Official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Use of Consultants. Whenever review of a building permit application requires retention by this jurisdiction for professional consulting services, the applicant shall reimburse this jurisdiction, the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. This jurisdiction may require the applicant to deposit an amount with this jurisdiction estimated in the discretion of the Building Official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

106.3.2 Approval of construction documents. When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved, Subject To Field Inspection." One set of construction documents so reviewed shall be retained by the Building Official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative.

106.3.3 Phased approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.4 Design professional in responsible charge.

106.4.1 General. When it is required that documents be prepared by a qualified registered design professional, the Building Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Section 1709 of the IBC, the statement of inspection shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704 of the IBC).

106.5 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period. Deferral of any submittal items

shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the Building Official. The Building Official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

106.6 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. The Building Official may in his/her sole discretion authorize minor field changes.

106.7 Retention of construction documents. One set of approved construction documents shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

Temporary structures are defined as:

1. Portable buildings or structures that are intended for use on construction sites to provide temporary safety, sanitation, storage or offices;
2. Structures that are constructed during a natural disaster to provide temporary housing or other supporting facilities; or
3. Tents, canopies and membrane structures as described in the 2006 edition of the International Fire Code, Chapter 24.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

107.3 Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

108.2 Schedule of permit fees. On buildings, structures, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established in a resolution by the City Council.

108.3 Plan Review Fees: When submittal documents are required by Section 106 of this code, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The Building Official may have the option to charge a deposit, in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106, an additional plan review fee may be charged.

108.3.1 Registered Plan Program. When plans are submitted under this jurisdiction's "Registered Plan Program," a plan review fee shall be paid at the time of application for a registered plan. The Building Official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review.

Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the Building Official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The Building Official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to the permit fees.

108.4 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official. The latest edition of the ICC "Building Safety Journal" publication shall be used to determine building valuations for the various building types and occupancies noted in that table. Regional modifiers shall be applicable. When a specific building type or occupancy is not noted in the valuation table, the Building Official is authorized to use any of the classification types noted in the table that most closely resembles the proposed type of building, or determine a valuation type independently.

108.5 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall, in addition to any other applicable penalties and remedies, be subject to a special investigation fee established by the Building Official that shall be in addition to the required permit fees.

108.6 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

108.7 Reserved

108.8 Refunds. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application.

SECTION 109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of this jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.2 Preliminary inspections Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

109.3 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

109.4 Required inspections. The Building Official, upon notification, shall make the inspections set forth for active permits in Sections 109.4.1 through 109.4.11.

109.4.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

109.4.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

109.4.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612.5 or IRC Section R323 shall be submitted to the Building Official.

109.4.4 Exterior wall sheathing inspection. Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

109.4.5 Roof sheathing inspection. The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

109.4.6 IMC/IPC/GAS/NEC rough in inspection. Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

109.4.7 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

109.4.8 Flashing and exterior weather barrier inspection. Flashing and exterior weather barrier inspections shall be made during the course of construction, but prior to significant completion of the work.

109.4.9 Lath inspection and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance rated assembly or a shear assembly.

109.4.10 Reserved.

109.4.11 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.4.12 Energy efficiency inspection

109.4.12.1 Envelope

1. Wall Insulation Inspection: To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

2. Glazing Inspection: To be made after glazing materials are installed in the building.

3. Exterior Roofing Insulation: To be made after the installation of the roof insulation, but before concealment.

4. Slab/Floor Insulation: To be made after the installation of the slab/floor insulation, but before concealment.

109.4.12.2 Mechanical

1. Mechanical Equipment Efficiency and Economizer: To be made after all equipment and controls required by this Code are installed and prior to the concealment of such equipment or controls.

2. Mechanical Pipe and Duct Insulation: To be made after all pipe and duct insulation is in place, but before concealment.

109.4.12.3 Lighting and Motors

1. Lighting Equipment and Controls: To be made after the installation of all lighting equipment and controls required by this Code, but before concealment of the lighting equipment.

2. Motor Inspections: To be made after installation of all equipment covered by this Code, but before concealment.

109.4.13 Reinspection: The Building Official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete, when corrections called for are not made, when the approved plans and permit are not on site, or when the building is not accessible.

109.4.14 Other inspections. In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Building Official.

109.4.15 Special inspections. In addition to the inspections noted above, the Building Official is authorized to require special inspections for any type of work. For special inspections, see Section 1704 of the IBC.

109.4.16 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

109.5 Inspection agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.6 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

109.7 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction.

110.2 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the Building Official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of ICC Building Code Chapter 3.
9. The type of construction as defined in ICC Building Code Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

110.3 Temporary or phased occupancy. The Building Official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official is authorized to require in addition to the completion of life safety building components, any or all accessibility components. The Building Official shall set a time period during which the temporary or phased certificate of occupancy is valid. The Building Official is authorized to require that a performance bond be posted with the city in an amount equal to 150% of the incomplete work as determined by the design professional. A cash assignment of funds may be used if authorized by the Building Official. The bond shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

110.4 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the Building Official.

111.2 Temporary connection. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to disconnect service utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112 RESERVED

SECTION 113 VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

113.2 Enforcement procedures and penalties. To the fullest extent permissible by law, any violation of Section 113.1 shall subject the violator to civil and/or criminal penalties as provided

herein. Where applicable, civil penalties shall be imposed in the amount of \$250,000 per violation. For purposes of this section, each day of noncompliance shall be deemed a separate violation. The Building Official shall serve as the City's designated enforcement officer for prosecuting civil violations under this section.

113.3 Prosecution of violation. The Building Official is authorized to serve a notice of violation upon the party responsible for noncompliance with this section. Service of the notice of violation shall be effected by U.S. mail, personal delivery or posting on the subject premises. The notice of violation shall (a) identify the subject premises, (b) identify the party apparently responsible for the violation, (c) describe in reasonable detail the nature of violation, (d) state the corrective action required to achieve compliance, and (e) notify the violator of his/her right to appeal the notice pursuant to this code. The notice of violation may, in the sole and exclusive discretion of the Building Official, contain or be served simultaneously with a stop work order. If the notice of violation is not complied with in the time prescribed by such notice, the Building Official is, in addition to any and all other applicable penalties and remedies, authorized to request the legal counsel of this jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

113.4 Public Nuisance. In addition to any and all other applicable penalties and remedies, any violation of Section 113.1 shall be deemed a public nuisance subject to abatement.

SECTION 114 STOP WORK ORDER

114.1 Authority. Whenever the Building Official finds any work being performed in a manner either contrary to the provisions of this code or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official is authorized to issue a stop work order.

114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

114.3 Investigation Fee. The Building Official is authorized to assess a special investigation fee for the issuance of a stop work order. Said fee shall be established by the City Council.

114.4 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties and enforcement as prescribed by this code.

SECTION 115 UNSAFE STRUCTURES AND EQUIPMENT

115.1 General. When a structure or equipment is found by the code official (as defined in WMC 15.17.050) to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

115.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

115.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

115.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

115.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

115.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

115.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed by the Building Official.

115.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

115.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

115.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

SECTION 116 APPEALS

116.1 Hearing Examiner to Hear Appeals. In order to hear and decide appeals of orders, notices, decisions, or determinations made by the Building Official, the City of Woodinville Hearing Examiner is hereby designated as the appellate body for all such appeals.

116.1.1 Waiver. Failure to timely appeal any order, notice, decision or determination of the Building Official issued under this code shall conclusively waive any and all rights to challenge such order, notice, decision or determination.

116.2 Limitations of Authority. The Hearing Examiner shall have no authority to waive the requirements of this code.

116.3 Appeal Procedure. Any appeals under this section shall be brought before the Hearing Examiner pursuant to the procedures set forth in Chapter 2.30 WMC, except that the final decision of the Hearing Examiner may be appealed to the City Council prior to any judicial review. PROVIDED, that the procedures set forth in this section shall control in the event of any conflict with the provisions of Chapter 2.30 WMC. Written findings and conclusions shall be provided to the appellant with a duplicate copy to the Building Official.

116.3.1 Any appeals under this code shall be filed with the Building Official within 14 days of the issuance of the order, notice, decision or determination of the Building Official that is the subject of the appeal. The fee for filing an appeal shall be established by the City Council.

116.3.2 The notice of appeal shall include a statement of why the appellant believes the order, decision or determination is in error.

116.3.3 Upon timely appeal, the Building Official shall prepare a written notice of appeal hearing to be sent via certified mail to the appellant at the address given in his notice of appeal. Such notice of hearing shall contain the following:

1. The name of the appellant and, if applicable, the project name;
2. The code provision(s) which is the subject of the appeal;
3. A brief description of the act or circumstances which is the basis of such determination;
4. The date, time and place of the hearing which shall not be earlier than 10 calendar days from the date of the notice of hearing;
5. A statement of the appellant's right to call witnesses and present evidence;
6. A statement that only the appellant and the Building Official may appeal the decision of the Hearing Examiner; and
7. A brief summary statement of the reason(s) for the appeal.

116.3.4 The Hearing Examiner shall conduct a hearing following which the Hearing Examiner shall determine whether the order, decision or determination of the Building Official was correct. The appellant has the exclusive burden of proof to establish, by a preponderance of the evidence, that the order, notice, decision or determination appealed from was incorrectly issued. The appellant's failure to appear at the hearing shall conclusively waive his/her appeal.

116.3.5 The Hearing Examiner shall issue a written decision within 10 days following the conclusion of the hearing. The decision shall contain findings of fact and conclusions of law and a statement of the appeal. The decision shall be provided to the appellant with a duplicate copy to the Building Official.

116.3.6 If the Hearing Examiner determines that a violation(s) occurred, the Hearing Examiner shall so indicate in his/her written decision which may, *inter alia*, confirm a stop work order and/or endorse a staff assessment of civil penalties as provided in this code. Where any provision of the Woodinville Municipal Code authorizes abatement or corrective action, the Hearing Examiner may, in addition to any civil penalties and/or other remedies, direct the appellant to take such steps as are necessary to abate or otherwise correct the violation.

116.3.7 The final decision of the Hearing Examiner may be appealed to the City Council by either the original appellant or by the Building Official in accordance with WMC 2.27.040.

End of Construction Administration Code

15.09.015 International Building Code adopted

A. The 2006 edition of the International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, excluding Chapter 1 ("Administration"), is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this International Building Code has been and is on file with City Clerk for inspection.

Scope: The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

(1) Detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade in height with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The following amendments, additions, deletions, and exceptions to the 2006 edition of the International Building Code as adopted by this chapter, are hereby adopted and shall be applicable within this jurisdiction.

(1) Section 1605.3.1.1 amended – Load Reduction

Section 1605.3.1.1 of the 2006 edition of the International Building Code, as adopted by this chapter, is hereby amended to read as follows:

Section 1605.3.1.1 Load Reduction.

It is permitted to multiply the combined effect of two or more variable loads by 0.75 and add to the effect of dead load. The combined load used in design shall not be less than the sum of the effects of dead load and anyone of the variable loads.

Increases in allowable stresses specified in the appropriate materials section of this code or referenced standard shall not be used with the load combinations of Section 1605.3.1 except that a duration of load increase shall be permitted in accordance with Chapter 23.

(2) Section 1608.1 amended – General.

Section 1608.1 of the 2006 edition of the International Building Code, as adopted by this chapter, is hereby amended to read as follows:

Section 1608.1 General. Design snow loads shall not be less than 25 pounds per square foot uniform snow load, and design roof loads shall not be less than that determined by Section 1607.

(3) Reserved.

(4) Section 1704.12 amended – Exterior insulation and finish systems (EIFS).

Section 1704.12 of the 2006 edition of the International Building Code, as adopted by this chapter, is hereby amended to read as follows:

Section 1704.12 Exterior insulation and finish systems (EIFS). Special inspection is required for all EIFS applications. All exterior insulation finish systems [EIFS] shall be certified by the manufacturer as having been installed per the manufacturers installation recommendations; or by another agency approved by the Building Official, may provide special inspection. A report consistent with special inspections outlined in Section 1704.1-1704.14.2 is expected before approval by the Building Official.

Exception:

Special inspections shall not be required for EIFS applications installed over masonry or concrete walls.

(5) Section 3002.4 amended - Elevator car to accommodate ambulance stretcher. Section 3002.4 of the 2006 edition of the International Building Code, as adopted by this chapter, is hereby amended to read as follows:

Section 3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above grade plane, or four or more stories below grade plane, or in any R or I occupancy building provided with an elevator regardless of the number of stories, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

(6) Appendix Chapter E (“Supplementary Accessibility Requirements”), Chapter G (“Flood Resistant Construction”), Chapter H (“Signs”), and Chapter J (“Grading”).

Appendix Chapter E (“Supplementary Accessibility Requirements”), Chapter G (“Flood Resistant Construction”), Chapter H (“Signs”), and Chapter J (“Grading”) are hereby adopted in their entirety.

(7) Appendix Chapter M (“International Existing Building Code”). Appendix Chapter M (“International Existing Building Code”) is hereby adopted except Sections 507, 708 and 908 regulating Electrical; Section 606.2.2 (Parapet bracing and wall anchoring for reroof permits), and the appendix chapters.

15.09.020 International Residential Code adopted

A. The 2006 edition of the International Residential Code, as adopted by the State Building Code Council in Chapter 51-51 WAC, as published by the International Code Council, excluding Chapter 1 (“Administration”) is hereby adopted, together with Appendix Chapter F (“Radon Control Methods”) and Chapter G (“Swimming Pools, Spas and Hot Tubs”), by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this International Residential Code has been and is on file with City Clerk for inspection.

Scope: The provisions of the International Residential Code for One-and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location,

removal and demolition of detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, including adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services.

B. The following amendments to the 2006 edition of the International Residential Code as adopted by this Chapter, are adopted and shall be applicable within the City.

(1) International Residential Code Table 301.2.1 Climatic and Geographic Design Criteria. International Residential Code Table 301.2.1 ("Climatic and Geographic Design Criteria"), as adopted by this chapter, is hereby amended to add a new subnote "m" to read as follows:

m. The climatic and geographic design criteria for the 2006 IRC table 301.2.1 shall be as follows:

Ground snow load	25#
Wind speed	85 mph
Seismic design	D-2
Weathering	moderate
Frost line depth	12"
Termite	slight to moderate
Decay	slight to moderate
Winter design temp	27 degrees F
Ice shield	none
Flood hazard	A 1996 B 1999
Air freezing index	174
Mean annual temp.	50 degrees F

15.09.025 International Mechanical Code adopted.

A. The 2006 edition of the International Mechanical Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1 ("Administration"), is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this International Mechanical Code has been and is on file with City Clerk for inspection.

Scope: This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions, and related processes within buildings. This code shall, also, regulate those mechanical systems, system components, equipment and appliances specifically addressed herein.

Exceptions:

1. Detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.
2. Mechanical systems in existing buildings undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the *International Existing Building Code*.
3. The standards for liquefied petroleum gas installations shall be the 2004 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2006 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

15.09.030 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The 2004 edition of the Liquefied Petroleum Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this Liquefied Petroleum Gas Code (NFPA 58) has been and is on file with City Clerk for inspection.

15.09.035 International Fuel Gas Code (NFPA 54) adopted.

The 2006 edition of the International Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1 ("Administration"), is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this International Fuel Gas Code (NFPA 54) has been and is on file with City Clerk for inspection.

15.09.040 Uniform Plumbing Code adopted.

A. The 2006 edition of the Uniform Plumbing Code, as adopted by the State Building Code Council in Chapter 51-56 and 51-57 WAC, as published by the International Association of Plumbing and Mechanical Officials, excluding Chapter 1 ("Administration"), is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this Uniform Plumbing Code has been and is on file with City Clerk for inspection.

Scope: The provisions of the 2006 Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

B. The following amendments, additions, deletions, and exceptions to the 2006 edition of the Uniform Plumbing Code as adopted by this chapter, are adopted and shall be applicable within the City.

- (1) Appendix Chapter A ("Recommended Rules for Sizing the Water Supply System") is hereby adopted in its entirety.
- (2) Appendix Chapter B ("Explanatory Notes on Combination Waste and Vent Systems") is hereby adopted in its entirety.
- (3) Appendix Chapter I ("Installation Standards") is hereby adopted in its entirety.
- (4) Appendix Chapter L ("Alternate Plumbing Systems") is hereby adopted, excluding sections L6.0.

15.09.045 Washington State Energy Code adopted.

The Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11 WAC, is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this Washington State Energy Code has been and is on file with City Clerk for inspection.

Scope: This Code sets forth minimum requirements for the design of new buildings and structures that provide facilities or shelter for residential occupancies by regulating their exterior envelopes and the selection of their HVAC, service water heating systems and equipment for efficient use and conservation of energy.

15.09.050 Washington State Ventilation and Indoor Air Quality Code adopted.

The Washington State Ventilation and Indoor Air Quality Code, as adopted by the State Building Code Council in Chapter 51-13 WAC, is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of person who will or should be protected or benefited by the terms of this code. One copy of this Washington State Ventilation and Indoor Air Quality Code has been and is on file with City Clerk for inspection.

Scope: This Code sets forth minimum requirements for ventilation in all occupancies, including the design of new construction.

15.09.060 Documents to be filed and available for public inspection.

The codes, appendices, and standards set forth in this chapter shall be filed with the City Clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

15.09.65 Violation – Criminal Penalty.

Any person, firm, corporation or organization violating any of the provisions of this chapter shall, in addition to any other applicable remedy or penalty, be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$5,000 or by imprisonment not to exceed one year, or both such fine and imprisonment. Every day or portion thereof during which any violation of this chapter occurs or continues shall constitute a separate offense.

EXHIBIT B

Chapter 15.15

FIRE CODE

Sections:

- 15.15.010 Short title.
- 15.15.020 Adoption of codes.
- 15.15.030 Amendment adoption.
- 15.15.050 Section 102.4 amended. Application of building code.
- 15.15.060 Section 102.5 amended. Historic Buildings.
- 15.15.070 Section 102.6 amended. Referenced codes and standards.
- 15.15.080 Section 104.10.1 amended. Assistance from other agencies.
- 15.15.090 Section 104.11.2 amended. Obstructing operations.
- 15.15.091 Section 108 amended. Appeals.
- 15.15.092 Section 109 amended. Violations.
- 15.15.093 Section 111 amended. Failure to comply.
- 15.15.110 Section 308.3.7 amended. Group A occupancies.
- 15.15.120 Section 314.4 amended. Vehicles.
- 15.15.130 Sections 503.1 through 503.4 amended. Fire apparatus Access Roads.
- 15.15.140 Section 508.3 amended. Fire Flow.
- 15.15.150 Section 508.5.1 amended. Where required.
- 15.15.160 Section 602 amended. Definitions.
- 15.15.180 Section Reserved.
- 15.15.190 Section 805.1 amended. General.
- 15.15.195 Section 806.1.1 Restricted Occupancies
- 15.15.200 Section 901.7 amended. Systems out of service.
- 15.15.210 Section 903.2 amended. Where required.
- 15.15.230 Section 903.2 amended. Where required.
- 15.15.240 Section 903.4.2 amended. Alarms.
- 15.15.250 Section 903.4.3 amended. Floor control valves.
- 15.15.280 Section 906.1 amended. Dry Standpipes.
- 15.15.290 Section 1404.5 amended. Fire Watch.
- 15.15.300 Section Appendix D Section D103.2 amended — Grade.
- 15.15.310 Appendix D Section D107.1 amended — One or two-family dwelling residential developments.

15.15.010 Short title.

This chapter shall be known as and may be referred to as the "Fire Code."

15.15.020 Adoption of codes.

The International Fire Code 2006 Edition, including Appendix Chapters B, C and D, as adopted by the State of Washington pursuant to Chapter 51-54 WAC, is hereby adopted by this reference as if set forth in full, subject to the amendments, additions, or deletions set forth herein; provided, however, that the purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be protected or

benefited by the terms of this code. One copy of this International Fire Code has been and is on file with the City Clerk for inspection.

15.15.030 Amendment adoption.

The following amendments, additions, deletions, and exceptions to the 2006 Edition of the International Fire Code, as adopted by this chapter, are adopted and shall be applicable within the City.

15.15.050 Section 102.4 amended – Application of building code.

Section 102.4 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

Section 102.4 The design and construction of new structures shall comply with the International Building Code. Repairs, alterations and additions to existing structures shall comply with the International Building Code.

15.15.060 Section 102.5 amended – Historic buildings.

Section 102.5 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

102.5 Historic buildings. The construction, alteration, repair, enlargement, restoration, relocation or movement of existing buildings or structures that are designated as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the International Building Code.

15.15.070 Section 102.6 amended – Referenced codes and standards.

Section 102.6 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45. Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference as determined or modified by the fire code official. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

15.15.080 Section 104.10.1 amended – Assistance from other agencies.

Section 104.10.1 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires or the enforcement of this code when requested to do so by the fire code official.

15.15.090 Section 104.11.2 amended – Obstructing operations.

Section 104.11.2 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

104.11.2 Obstructing operations. No person shall obstruct the operations of the fire department in connection with extinguishment, control or investigation of any

fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

15.15.091 Section 108 amended – Appeals.

Section 108 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

108.1 Hearing Examiner to Hear Appeals. In order to hear and decide appeals of orders, notices, decisions, or determinations made by the City Manager or his/her designee, the City of Woodinville Hearing Examiner is hereby designated as the appellate body for all such appeals.

108.1.1 Waiver. Failure to timely appeal any order, notice, decision or determination of the City Manager or his/her designee issued under this code shall conclusively waive any and all rights to challenge such order, notice, decision or determination.

108.2 Limitations of Authority. The Hearing Examiner shall have no authority to waive the requirements of this code.

108.3 Appeal Procedure. Any appeals under this section shall be brought before the Hearing Examiner pursuant to the procedures set forth in Chapter 2.30 WMC, except that the final decision of the Hearing Examiner may be appealed to the City Council prior to any judicial review. PROVIDED, that the procedures set forth in this section shall control in the event of any conflict with the provisions of Chapter 2.30 WMC. Written findings and conclusions shall be provided to the appellant with a duplicate copy to the City Manager or his/her designee.

108.4 Deadline for Appeals. Any appeals under this code shall be filed with the City Manager or his/her designee within 14 days of the issuance of the order, notice, decision or determination of the City Manager or his/her designee that is the subject of the appeal. The fee for filing an appeal shall be established by the City Council.

108.4.1 The notice of appeal shall include a statement of why the appellant believes the order, decision or determination is in error.

108.5 Notice of Appeal Hearing. Upon timely appeal, the City Manager or his/her designee shall prepare a written notice of appeal hearing to be sent via certified mail to the appellant at the address given in his notice of appeal. Such notice of hearing shall contain the following:

1. The name of the appellant and, if applicable, the project name;
2. The code provision(s) which is the subject of the appeal;
3. A brief description of the act or circumstances which is the basis of such determination;
4. The date, time and place of the hearing which shall not be earlier than 10 calendar days from the date of the notice of hearing;

5. A statement of the appellant's right to call witnesses and present evidence;

6. A statement that only the appellant and the City Manager or his/her designee may appeal the decision of the Hearing Examiner; and

7. A brief summary statement of the reason(s) for the appeal.

108.6 Hearing. The Hearing Examiner shall conduct a hearing following which the Hearing Examiner shall determine whether the order, decision or determination of the City Manager or his/her designee was correct. The appellant has the exclusive burden of proof to establish, by a preponderance of the evidence, that the order, notice, decision or determination appealed from was incorrectly issued. The appellant's failure to appear at the hearing shall conclusively waive his/her appeal.

108.7 Decision. The Hearing Examiner shall issue a written decision within 10 days following the conclusion of the hearing. The decision shall contain findings of fact and conclusions of law and a statement of the appeal. The decision shall be provided to the appellant with a duplicate copy to the City Manager.

108.7.1 If the Hearing Examiner determines that a violation(s) occurred, the Hearing Examiner shall so indicate in his/her written decision which may, inter alia, confirm a stop work order and/or endorse a staff assessment of civil penalties as provided in this code. Where any provision of the Woodinville Municipal Code authorizes abatement or corrective action, the Hearing Examiner may, in addition to any civil penalties and/or other remedies, direct the appellant to take such steps as are necessary to abate or otherwise correct the violation.

108.7.2 The final decision of the Hearing Examiner may be appealed to the City Council by either the original appellant or by the City Manager in accordance with WMC 2.27.040.

15.15.092 Section 109 amended – Violations.

Section 109 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

109.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 Enforcement procedures and penalties. To the fullest extent permissible by law, any violation of Section 109.1 shall subject the violator to civil and/or criminal penalties as provided herein. Where applicable, civil penalties shall be imposed in the amount of \$250.00 per violation. For purposes of this section, each day of noncompliance shall be deemed a separate violation. The City Manager or his/her designee

shall serve as the City's designated enforcement officer for prosecuting civil violations under this section. A violation of Section 109.1 shall also constitute a criminal misdemeanor punishable by a fine not to exceed \$5,000 or by imprisonment not to exceed one year.

109.3 Prosecution of violation. The City Manager or his/her designee is authorized to serve a notice of violation upon the party responsible for noncompliance with this section. Service of the notice of violation shall be effected by U.S. mail, personal delivery or posting on the subject premises. The notice of violation shall (a) identify the subject premises, (b) identify the party apparently responsible for the violation, (c) describe in reasonable detail the nature of violation, (d) state the corrective action required to achieve compliance, and (e) notify the violator of his/her right to appeal the notice pursuant to this code. The notice of violation may, in the sole and exclusive discretion of the City Manager or his/her designee, contain or be served simultaneously with a stop work order. If the notice of violation is not complied with in the time prescribed by such notice, the City Manager or his/her designee is, in addition to any and all other applicable penalties and remedies, authorized to request the legal counsel of this jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

109.4 Public Nuisance. In addition to any and all other applicable penalties and remedies, any violation of Section 109.1 shall be deemed a public nuisance subject to abatement.

15.15.093 Section 111.4 amended – Failure to comply.

Section 111.4 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, may be subject to enforcement procedures and penalties as provided under Section 109 of this code.

15.15.110 Section 308.3.7 amended – Group A occupancies.

Section 308.3.7 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

308.3.7 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:

1.1. Where necessary for ceremonial or religious purposes in accordance with Section 308.3.5.

- 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.6.
- 1.3. Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
2. Heat-producing equipment complying with Chapter 6 and the International Mechanical Code.
3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.
4. Where approved by the Fire code official (see also 308.3.1.2)

15.15.120 Section 314.4 amended – Vehicles.

Section 314.4 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

- 314.4 Vehicles. Liquid- or gas-fueled vehicles, fueled equipment, boats or other motorcraft shall not be located indoors except as follows:
1. Batteries are disconnected.
 2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
 3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
 4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.

15.15.130 Sections 503.1 through 503.4 amended – Fire apparatus access roads.

Sections 503.1 through 503.4 of the 2006 International Fire Code, as adopted by this chapter, are hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specification for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

15.15.140 Section 508.3 amended – Fire flow.

Section 508.3 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by use of Appendix B.

15.15.150 Section 508.5.1 amended – Where required.

Section 508.5.1 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 300 feet.
2. For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

15.15.160 Section 602 amended – Definitions.

Section 602 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

POWER TAP. A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has overcurrent protection.

NOTE: All references to the ICC Electrical Code are replaced with the National Electrical Code as adopted by the State of Washington.

15.15.180 Reserved.

15.15.190 Section 807.1 amended – General.

Section 805.1 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

805.1 General. In occupancies of Groups A, B, E, I and R-1 and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall be flame resistant in accordance with Section 805.2 and NFPA 701 or be noncombustible.

In Groups I-1 and I-2, combustible decorations shall be flame retardant unless the decorations, such as photographs and paintings, are of such limited quantities that a hazard of fire development or spread is not present. In Group I-3, combustible decorations are prohibited.

15.15.195 Section 806.1.1 amended - Exceptions

Section 806.1.1 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

Restricted occupancies. Natural cut trees shall be prohibited in Group A,E,I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 occupancies.

Exceptions:

1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.

2. Trees shall be allowed within dwellings units in Group R-2 occupancies.

3. Trees treated with a flame retardant and renewed to maintain flame resistance subject to the approval of the fire code official.

15.15.200 Section 901.7 amended – Systems out of service.

Section 901.7 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

901.7 Systems out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

15.15.210 Section 903.2 amended – Where required.

Section 903.2 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

Exception is deleted.

903.2.14
NEW BUILDINGS

1. All newly constructed buildings with a gross square footage of 5,000 or greater square feet, regardless of type or use as well as zero lot line townhouses with an aggregate area of all connected townhouses equaling 5,000 square feet or greater must be sprinklered.

EXISTING BUILDINGS

Additions. Additions to existing buildings which would result in a total gross floor area greater than 5,000 square feet must be retrofitted with an automatic sprinkler system. Subject to the approval of the fire chief, a phasing plan of up to five years is permitted.

Exception: Additions to Group R, Division 3 occupancies of up to 20% of the existing total square feet are permitted without compliance with this section. This is a one-time exemption and this exemption must be recorded with King County Records and Elections.

DEFINITION:

Floor Area, Gross: For the purpose of this section, gross floor area shall be defined as the floor area whether above or below grade within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of the interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts. For the purposes of this section, fire barriers of any type do not constitute separate buildings. For purposes of this section, gross floor area shall not include limited access areas such as vented crawl spaces and attics.

15.15.240 Section 903.4.2 Amended – Alarms.

Section 903.4.2 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

903.4.2 Alarms. Approved audible and visible alarm notification appliances shall be connected to every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the

Fire Code Official. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Exceptions:

1. Approved domestically supplied local systems with 10 heads or less per building, or
2. Approved residential sprinkler systems for 1 or 2 dwelling units if not otherwise specifically required.

15.15.250 Section 903.4.3 amended – Floor control valves.

Section 903.4.3 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the Fire Code Official in NFPA 13 D and NFPA 13 R Systems.

15.15.280 Section 906.1 amended – Portable fire extinguishers.

Section 906.1 (1) of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

906.1 (1) Where required. Portable fire extinguishers shall be installed in all Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exception is deleted.

15.15.290 Section 1404.5 amended – Fire watch.

Section 1404.5 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

1404.5 Fire watch. When required by the fire code official for building construction or demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

15.15.300 Appendix D Section D103.2 amended – Grade.

Appendix D Section D103.2 of the 2003 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed 15 percent in grade.

Exception: Grades steeper than 15 percent as approved by the fire chief.

15.15.310 Appendix D Section D107.1 amended – One or two-family dwelling residential developments.

Appendix D Section D107.1 of the 2006 International Fire Code, as adopted by this chapter, is hereby amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 75 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are 75 or more dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.